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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Docket No: Q68112

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GROUP 3600

Josep FONTDECABA BUJ

Appln. No.: 10/031,872 Group Art Unit: 3616

Confirmation No.: 8688 Examiner: Peter C. English

Filed: January 24, 2002

For: ANTI-ROLLING AND ANTI-PITCHING SYSTEM FOR A MOTOR VEHICLE, AND DEVICE FOR ITS IMPLEMENTATION

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 30, 2003, in which the Examiner set a shortened statutory period for response by one month, making a reply due on or before August 30, 2003.

In the Action, the Examiner has required restriction under 35 U.S.C. § 121 to one of the following:

Species A	-Figs. 6 and 21-27 (claims 1 and 5-17);
Species B	-Figure 7 (claims 1 and 4); or
Species C	-Figs. 8-20 (claims 1-3)

Currently, claim 1 is considered by the Examiner to be generic.

Applicant hereby elects Species A, drawn to claims 1 and 5-17 with traverse. Applicant respectfully request the Examiner to withdraw the restriction requirement because the restriction requirement, as presented, is not in accordance with proper PTO procedure. A restriction of a

dependent claim is only proper "after an assessment of the prior art." *See* MPEP § 1850 A. In this case, the Examiner has provided no evidence that he has assessed the prior art before making the restriction.

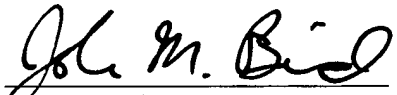
Applicant reserves the right to file divisional applications on the non-elected claims.

In view of the foregoing, Applicant believes that a complete examination on the merits is now in order. Early and favorable action is respectfully requested.

If the Examiner believes that a personal or telephone interview would be helpful, he is kindly requested to contact the undersigned at the local telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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23373
CUSTOMER NUMBER

Date: August 26, 2003